

REMARKS

Claims 45-48, 51, 54, and 58 have been amended, claims 72-79 have been added, and claims 45-51, 53-60, and 62-79 are pending and under consideration. Claims 72-79 are deemed patentable due at least to reasons similar to why claims 45-51, 53-60, and 62-71 are deemed patentable.

No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 45-51, 53-60, and 62-71 are rejected under 35 U.S.C. §103(a) as being unpatentable over Meyer et al. (U.S. Patent 6,829,368) in view of Montulli (U.S. Patent 5,744,670). This rejection is respectfully traversed and reconsideration is requested.

Consistent with the arguments previously presented in the Appeal Brief filed August 2, 2007, the Board of Patent Appeals and Interferences (BPAI) rejected the same combination in a Decision issued in related application no. 10/995,295. In the Decision, the Board explicitly held that "we do not concur with the Examiner that one of skill in the art would modify Meyer such that a cookie file to contain an contents identifier read from a storage medium that contains both content and a contents identifier." Moreover, the Board found that while "many types of data may be included in the cookie [,] we find that this data is all related to the state of the communication between the client and server processor." Further, the Board found that, while "Meyer does teach storing the contents identifier..., we do not find that either of these storing steps involves a cookie" and "we do not find that the contents identifier relates information to the state of the communication between the client and server machines." In summary, the Board held that "we do not find the combination of Meter and Montulli teaches or fairly suggests storing ... cookie that contains an contents identifier read from a storage medium that contains both content and a contents identifier." As such, it is respectfully requested that, consistent with the Board's findings, the rejection be reconsidered and withdrawn in the instant application.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Serial No. 09/903,630

Docket No. 1293.1225

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: Oct. 31, 2007
1400 Eye St., N.W., Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510

By: 

James G. McEwen
Registration No. 41,983